

REMARKS

Claims 1-9 are pending in the application. Claims 1, 3-4, 6-7, and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Phillips (U.S. Patent No. 6,748,195) in view of Watanabe et al. (U.S. Patent No. 6,731,939) and Rosener et al. (U.S. Publication No. 2002/00028655), and further in view of Ma et al. (U.S. Publication No. 2003/0021262). Claims 2, 5 and 8 are rejected under 35 U.S.C. 103(a) over Phillips in view of Watanabe et al., Rosener et al., and Ma et al., and further in view of Bell (U.S. Patent No. 6,660,902).

Submitted herein is a Declaration under 37 CFR §1.131. As exhibits thereto are an invention disclosure covering the claimed invention, a certified translation of the invention disclosure, and certified English translations of Korean Patent Applications 2001-20653 and 2000-71023. The Declaration and supporting exhibits establish a reduction to practice prior to September 29, 2000.

Philips was filed on September 29, 2000; Wantanabe was filed on October 20, 2000; and, Ma et al. was filed on November 13, 2000. The present application was filed on November 5, 2001 with a priority claim to November 27, 2000. Therefore, based on the Declaration, neither Philips, Wantanabe nor Ma et al. qualifies as prior art. Based on at least the foregoing, any rejection based wholly or in part on Philips, Wantanabe or Ma et al. must be withdrawn.

Independent Claims 1, 4 and 7 are believed to be in condition for allowance. Without conceding the patentability per se of dependent Claims 2, 3, 5-7, 8 and 9, these are likewise believed to be allowable by virtue of their dependence on their respective amended independent claims. Accordingly, reconsideration and withdrawal of the rejections of dependent Claims 2, 3, 5-7, 8 and 9 is respectfully requested.

In view of the preceding remarks, it is respectfully submitted that all pending claims,

namely 1-9 are in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Respectfully submitted,



Paul J. Farrell
Reg. No. 33,494
Attorney for Applicant

DILWORTH & BARRESE
333 Earle Ovington Blvd.
Uniondale, New York 11553
Tel: (516) 228-8484
Fax: (516) 228-8516

PJF/MJM/dr